

**TOWN OF NEEDHAM  
CONSERVATION COMMISSION  
MEETING MINUTES  
Thursday, April 14, 2016**

LOCATION: Public Services Administration Building (PSAB), Charles River Room

ATTENDING: Janet Carter Bernardo (arrived at 7:45 pm.), Peter Oehlkers, Alison Richardson, Cory Rhoades, Sharon Soltzberg, Matthew Varrell (Director of Conservation), Debbie Anderson (Conservation Specialist)

GUESTS: Sean Cantwell, John Jordan, John Rockwood, Gene Voloshin, Josh Zweig

P. Oehlkers opened the public meeting at 7:37 pm.

**ENFORCEMENT & VIOLATION UPDATES**

**50 WINFIELD ROAD (DEP FILE #234-701)**

M. Varrell notified the Commission that work had commenced on this tear down and re-build project without the required pre-construction meeting. M. Varrell stated that work has been stopped and a pre-construction meeting is scheduled for the following day. The Applicant, John Jordan, was present to discuss the situation with the Commission. Mr. Jordan explained that the contractor hired to demo the house had difficulty scheduling the project and when he called the Applicant with a last minute demo opportunity he jumped at the chance. P. Oehlkers explained to Mr. Jordan the importance of following his Permit, including pre-construction conditions. M. Varrell confirmed that the demo portion of the project had been completed. Mr. Jordan added that the house was on a slab so there was little excavation to remove it. M. Varrell will report back to the Commission if he notes any additional violations during his site visit.

**HEARINGS**

**84 GLENDALE ROAD – NOTICE OF INTENT (DEP FILE #234-755)**

Applicant/Owner: Sean Cantwell

Project: The project consists of the installation of pervious paver patios and walkways, deck landing and stairs, and landscaped planting areas with minimal associated grading. Additionally, the project includes lawn and landscaping and the replacement of a metal picket fence with a wooden split rail fence within existing lawn in the 100' Buffer Zone to Bank. Mitigation plantings and erosion controls are proposed.

Present for the Applicant: The Applicant, Sean Cantwell and his Representative, John Rockwood of EcoTec, Inc.

Supporting Documents include:

- ❑ WPA Form 3 – Notice of Intent and supporting documents received March 29, 2016
- ❑ Needham Wetlands Protection Bylaw Application for Permit received March 29, 2016
- ❑ **Plan entitled: “Proposed Patio & Walkway Plan, 84 Glendale Road, Needham, MA”, prepared by Dellorco Associates, stamped and signed by Anthony M. Dellorco, R.P.S. #34303, dated 3/25/16.**

P. Oehlkers opened the Public Hearing at 7:45 pm.

J. Rockwood presented the proposed project. The proposed project is located within the 100-foot Buffer Zone to an intermittent stream. A 440 s.f. permeable paver patio is proposed at the back of the house within the 25-foot Buffer Zone. In addition, a small deck landing and stairs down to the patio and several permeable paver walkways are proposed. A blue stone patio is proposed in front of the existing portico at the front of the house. Blue stone is not considered permeable but they will leave enough space between the pavers for infiltration. They are also proposing to raise the patio and remove any underlying material inconsistent with infiltration and add stone/gravel. The Applicant is proposing the installation of 520 s.f. of plantings along the stream. Currently that area consists of lawn and dead/dying mitigation plantings. The Bank shows evidence of erosion in one area. The proposed 33 plantings are expected to aid stability of the Bank.

D. Anderson asked if the original Order of Conditions for the house construction called for mitigation plantings to be installed in that area. J. Rockwood replied that the 22 original plantings were absent or in poor condition due to Norway maples located in the area. The new proposed planting location is a sunnier area away from the overhanging maples.

Also proposed is the replacement of the black iron fence with split rail fencing similar to that existing along a portion of the property line. A continuing Condition in the previous Order of Conditions requires that a fence be maintained in that location. S. Soltzberg asked is it would be worth removing any invasive plants located on the wetland side of the fence prior to putting up the new fence. J. Rockwood replied that a honeysuckle and Japanese barberry could be removed. M. Varrell stated that the roots of one of the Norway Maples infringe on the area of the proposed patio. The Commission discussed the purpose of various pipes on the property. The downspouts currently drain to a collection system but the presence of an infiltration system is unknown. The existing fence will remain during the project and the new fence installed at the end.

***Motion to close the public hearing for 84 Glendale Road (DEP FILE #234-755) by P. Oehlkers, seconded by S. Soltzberg, approved 5-0-0.***

***Motion to issue the Order of Conditions for 84 Glendale Road (DEP File #234-755) by S. Soltzberg, seconded by P. Oehlkers, approved 5-0-0.***

## **70 GAY STREET – REQUEST FOR DETERMINATION OF APPLICABILITY**

Applicant/Owner: Josh Zweig

Project: Landscaping project consisting of: (1) removal of existing landscape timber steps; (2) installation of granite stairs; (3) installation of new plantings; (4) lawn area renovation and seeding; (5) installation of small block retaining wall and (6) groundcover plantings to combat erosion on slope. An erosion control barrier is proposed.

Present for the Applicant: Owner, Josh Zweig

Supporting Documents include:

- ❑ WPA Form 1 – Request for Determination of Applicability and supporting documents received March 31, 2016.
- ❑ Exhibits A, B, C, D of 70 Gay Street (hand drawn) prepared by Josh Zweig dated 6/25/05 & 3/31/16.

J. Carter Bernardo opened the Public Hearing at 8:03 pm.

Mr. Zweig stated that his property borders on Sportsman's Pond. The proposed project consists of landscaping improvements. Some of the work is to stop erosion as they are situated on top of a steep hill. They propose to replace a set of existing wooden stairs that are disintegrating with granite steps. They would like to install a retaining wall and add fill to even out the severe drop-off from the front of the house to the back and install lawn. All of the proposed work will take place within the existing fence line. Straw wattles are proposed along the fence line.

***Motion to close the public hearing for 70 Gay Street by P. Oehlkers, seconded by C. Rhoades, approved 5-0-0.***

***Motion to issue a Negative Determination of Applicability for 70 Gay Street by P. Oehlkers, seconded by C. Rhoades, approved 5-0-0.***

## **OTHER BUSINESS**

### **POROUS PAVEMENT PRESENTATION ANNOUNCEMENT**

M. Varrell explained that the Town is considering using porous pavement for portions of the Rosemary Recreation Area project. The Permanent Public Building Committee (PPBC) has facilitated scheduling a presentation from UNH on porous pavement to help educate the various department personnel that may be involved with the project. It is scheduled for May 13<sup>th</sup> from 12:00 pm. to 2:00 pm. in the Charles River Room but the location may be changed if additional space is required. A. Richardson mentioned that she has worked with porous pavement in the past and finds that it works well. M. Varrell noted that using porous pavement may be more cost effective than traditional pavement for the Rosemary Recreation Area project.

### **REQUEST FOR A MINOR MODIFICATION – 108 LINDBERGH AVENUE (DEP FILE #234-751)**

The Applicant, Gene Voloshin explained to the Commission that he had determined that the house footprint needs to be flipped due to the location of the utilities in Lindbergh Avenue. He stated he has spoken to the Public Works Department and they agree with his findings. The original plan called for 278 s.f. of additional impervious surface in the 100-foot Buffer Zone. The new proposal calls for a decrease of new impervious surface of 160 s.f. for a total of 118 s.f. of proposed new impervious surface. In addition, the approved pervious paver patio located within the 100-foot Buffer Zone will decrease in size by 143 s.f. from 431 s.f. to 288 s.f. M. Varrell expressed his concern that the Plan submitted shows revised grading and Conservation staff had explained to G. Voloshin that proposed revisions to grading would require an Amendment to the existing Permit and could not be done through the Minor Modification process. G. Voloshin stated that he did not realize that his Engineer had made the changes to the Plan regarding the grading and retaining wall addition. He planned to come back to the Commission for these modifications through the Amendment process. He explained the reasons for these proposed future modifications to the lot but is only requesting the flipping of the house footprint at this point. M. Varrell stated that an Abutter has expressed concern regarding grading changes and deserves to attend a public hearing to voice her concerns.

The Minor Modification approval letter will reference approval only for the flipping of the house footprint and does not approve any change in grading. Any change in grading will require an Amendment to the Permit.

***Motion to approve the Minor Modification of the plans, for the house footprint flipping only, for 108 Lindbergh Avenue (DEP File #234-751) by P. Oehlkers, seconded by C. Rhoades, approved 5-0-0.***

## **DISCUSSION ITEM – DRAFT REVISIONS TO *GUIDELINES FOR TREE REMOVAL PROJECTS***

M. Varrell explained that several weeks ago he had approached the Commission regarding potential revisions to the Commission's *Guidelines for Tree Removal Projects* document. Around the same time the Town began looking into creating a Town-wide tree bylaw. The Commission's discussion was put on hold to wait and see if it appeared the Town's tree bylaw would be moving forward. M. Varrell has been to two meetings of a Town tree bylaw committee including members of the Planning Board, two Selectmen and other interested parties from Town Departments to begin discussions. The forestry department would become the enforcing body most of the time unless the work is proposed in the Commission's jurisdiction then the Commission would take over enforcing the bylaw. The Commission agreed with this arrangement. M. Varrell will report back to the Commission as the discussions progress.

## **FULLER TRAIL/CHARLES RIVER TRAIL UPDATE**

M. Varrell showed the Commission photos of the completed Charles River Trail boardwalk. The contractor had gone back out to install additional bracing to stabilize the bridge. They also added epoxy to the piers. The bench has been installed on the Fuller Trail boardwalk. The only problem area is at the end of the boardwalk where it does not extend over the last portion of the wetlands presumably because the previous boardwalk did not extend over this portion of the wetland. J. Carter Bernardo thought perhaps the Student Conservation Association may be able to extend the boardwalk in that area as part of their work over the summer. She added that the steps at the opposite end of the boardwalk should be added to SCA's work as well. M. Varrell stated that he hopes an eagle scout may take on the steps as a project. The extension of the boardwalk may require permitting unless an alternative method of crossing the wetland area is proposed.

M. Varrell stated that they had received the final invoice from Solid Earth Technologies for approximately \$16,000. Once the final invoice is paid, Solid Earth Technologies will be paid in full. The Commission discussed walking the boardwalk prior to the next Conservation Commission meeting and prior to authorizing final payment to make sure they had no issues. M. Varrell added that the Commission should consider choosing a date for a ribbon cutting.

## **PERMEABLE PAVER – DISCUSSION**

A. Richardson asked other members of the Commission if there were any performance standards regulating permeable paving. She finds that certain media such as blue stone pavers are not really permeable but are approved by the Commission as if they were. M. Varrell stated that it would be relatively easy to put together a policy regulating permeable pavers and put it on the

Conservation Commission website. A. Richardson will do some research on the topic and submit it to M. Varrell. M. Varrell will draft a policy for the Commission's review.

*Motion to adjourn the meeting by C. Rhoades, seconded by P. Oehlkers, approved 5-0-0.*

*The meeting was adjourned at 8:55 pm.*

#### **NEXT PUBLIC MEETING**

*Thursday, April 28, 2016 at 7:30 PM in the Public Services Administration Building, Charles River Room.*